

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on 22 September 2000.

22 Sept. 2000 Jamie' Bryant  
Date Signature



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

*[Handwritten initials and date 10/16/00]*

In Re Application of:

BURKOTH et al.

Serial No.: 09/216,641

Group Art Unit: 1633

Filing Date: 17 December 1998

Examiner: D. Nikodem

Title: METHOD FOR PROVIDING DENSE PARTICLE COMPOSITIONS FOR  
USE IN TRANSDERMAL PARTICLE DELIVERY

**RESPONSE TO REQUIREMENT FOR RESTRICTION**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

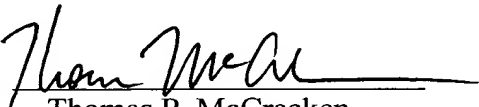
This is in response to the Restriction Requirement dated 22 March 2000. The Examiner therein required election of one of the following groups of claims:

Group I: Claims 1-14, drawn to methods for delivering particles which comprise a nucleic acid molecule, wherein said particles do not comprise a ballistic core carrier; and

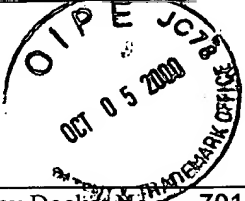
Group II: Claims 15-40, drawn to methods, pharmaceutical compositions and container for forming densified particles.

Applicants hereby elect to prosecute the claims of Group II, claims 15-40, without traverse. Applicants expressly reserve their right under 35 USC §121 to file a divisional application directed to the nonelected subject matter during the pendency of this application.

Respectfully submitted,

By:   
Thomas P. McCracken  
Registration No. 38,548

ROBINS & ASSOCIATES  
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GAU 1633  
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OCT 12 2000

# FEE TRANSMITTAL

Attorney Docket No.: 7010-0001 (OPF 07)	First Named Inventor: B. J. CRACKEN
Application No.: 09/216,641	Filing Date: 17 December 1999
Examiner: D. Nikodem	Group Art Unit: 1633

## Description of Action

This Fee Transmittal sheet is being submitted in connection with the accompanying **Petition for Extension of Time and Response to Restriction Requirement.**

## Authorization to Charge Deposit Account

The Assistant Commissioner for Patents is hereby authorized to charge the indicated fees against, and credit any overpayments to, the following deposit account. The Assistant Commissioner is further authorized to charge any additional fees required under 37 CFR §§ 1.16 and 1.17 against the same deposit account.

Deposit Account No: **50-0828**

Deposit Account Name: **PowderJect Technologies**

## Fee Calculations

### (1) Filing fee (large entity) (if applicable)

Description	Fee Paid
	(\$)

### (2) Extra claim fees (large entity) (if applicable)

Claims in specification as filed

	No. in Specification or after Amendment	No. Included in Filing Fee or Previously Paid For	No. Extra (b)	Applicable Fee	Fee Paid
Total Claims		- 20 =		x 18 (ea.)	
Independent Claims		- 3 =		x 78 (ea.)	
Multiple dependent claim(s) presented for first time (c)			No	260	
Subtotal (2) Extra claim fees					(\$) 0.00

### (3) Additional or other fees (large entity) (if applicable)

Description	Fee Paid
Five Month Extension of Time (37 C.F.R. 1.17(a))	1,850.00
Subtotal (3) Additional or other fees	(\$) 1,850.00

### Total Fees

Total Fees Submitted (Sum of Subtotals (1), (2), and (3))	(\$) 1,850.00
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### Certificate of Mailing (37 CFR §1.8)

I hereby certify that this paper or fee is being deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, Washington, DC 20231, on the date indicated below:

Date of deposit: **22 September 2000**

Name (printed): **Tami O'Bryant**

Signature: *Tami O'Bryant*

Respectfully Submitted,

*Thomas P. McCracken*  
Name: **Thomas P. McCracken, Reg. No. 38,548**  
Tel: **510-742-9700, Extension 209**  
Fax: **510-742-9720**  
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**Fremont, CA 94555**